



07/23/04

ZFW RCE
4/2Practitioner's Docket No. 56,822-RCE (47126)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: G. Cevc, et al. Confirmation No. 5210
Application No.: 10/037,480 Art Unit: 1723
Filed: January 4, 2002 Examiner: Fortuna, A. M.
For: METHOD FOR THE IMPROVEMENT OF TRANSPORT ACROSS
ADAPTABLE SEMI-PERMEABLE BARRIERS

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION UNDER 37 C.F.R. 1.10*
(Express Mail label number is mandatory)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date **July 21, 2004** in an envelope as "Express Mail Post Office to Addressee," mailing Label Number **EV438994015US** addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan Dillon
(type or print name of person mailing paper)
Susan M Dillon
Signature of person mailing paper

REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. Section 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted (*check appropriate item(s) below:*)

- i. Prior to abandonment of the application
- ii. Payment of the issue fee
 - Prior to payment of issue fee
 - Issue fee has been paid but a petition under Section 1.313 has been granted
- iii. Prior to a decision on appeal to the Board of Patent Appeals & Interferences
 - A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
- iv. Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145

- Commencement of a civil action under 35 U.S.C. 146
 Prior to the filing of such appeal or commencement of civil action
 Such appeal or commencement of civil action has been terminated

ENCLOSURES

3. Enclosed herewith is/are:

- An information disclosure (37 C.F.R. Section 1.98)
 Form PTO-1449 (PTO/SB/08A and 08B)

A preliminary amendment

New arguments

New evidence in support of patentability

Other:

FEE FOR REQUEST (37 C.F.R. Section 1.17(e)).

4. This application is on behalf of:

- | | | |
|-------------------------------------|--|------------------|
| <input type="checkbox"/> | Small entity (and status is still as small entity) | \$ |
| <input checked="" type="checkbox"/> | Other than a small entity | \$770.00 |
| Continued Prosecution Request Fee | | <u>\$ 770.00</u> |

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below:

(Col.1)	(Col. 2)	(Col. 3) SMALL ENTITY	OTHER THAN A SMALL ENTITY		
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra Rate	Addit. Fee	OR	Addit. Fee
Total	Minus	=	x \$9 =	\$	x \$18 = \$
Indep.	Minus	=	x \$43 =	\$	x \$86 = \$
[] First Presentation of Multiple Dependent Claim			+ \$145 =	\$0	+ \$290 = \$
					Total Addit. Fee \$0.00

(complete (c) or (d), as applicable)

(c) [] No additional fee is required.

OR

(d) [X] Total additional fee required is \$770.00.

EXTENSION OF TIME

(If an extension of time is appropriate complete (a) or (b), as applicable)

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

(a) [] Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

<u>Extension for (months)</u>	<u>Fee for small entity</u>	<u>Fee for other than small entity</u>
[] one month	\$ 55	\$110
[] two months	\$ 210	\$420
[] three months	\$ 475	\$950
[] four months	\$740	\$1,480
		<u>Fee</u> <u>\$0.00</u>

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

[] An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$0.00

OR

(b) [X] Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE(S) DUE

WARNING: *The fee for continued examination under Section 1.114 may not be deferred. 37 C.F.R. Section 1.53(f).*

7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	\$ 770.00
Fee(s) for additional claims (if any) (Section 1.16(b)-(d))	\$ 0.00
Extension of time fee (if any) (Section 1.17(a)(1)-(4))	\$ 0.00
Total Fee(s) Due:	<u>\$ 770.00</u>

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

<input checked="" type="checkbox"/>	Check is attached for the sum of	\$ <u>770.00</u>
<input type="checkbox"/>	Charge Account _____ the sum of	\$ _____
<input type="checkbox"/>	Charge Credit Card the sum of (Credit Card Payment Form (PTO-2038) attached.)	\$ _____

Please charge any required additional fee(s) for Section 1.17(e), Section 1.16(b)-(d) and/or Section 1.17(a)(1)-(4) to

<input checked="" type="checkbox"/>	Account <u>04-1105</u>	
<input type="checkbox"/>	Credit Card (Credit Card Payment Form (PTO-2038) attached.)	

INVENTORSHIP

9. This application as amended names as inventors:

<input checked="" type="checkbox"/>	the same inventors as previously designated for the claims.
<input type="checkbox"/>	fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.

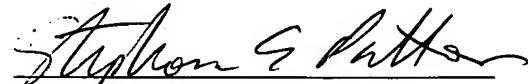
- a person not named previously as an inventor and a petition under 37 C.F.R. Section 1.48
is/has separately:
 being filed
 been filed

Date: July 21, 2004

Reg. No.: 50,373

Tel. No.: (617) 439-4444

Customer No.: 21874



SIGNATURE OF PRACTITIONER

Stephana E. Patton
(type or print name of practitioner)

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